

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Hon. Jose L. Linares

v.

Crim. No. 12-61

DAVID GUZMAN-LEBRON,

DETENTION ORDER

Defendant.

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This matter having been opened to the Court on the motion of defendant David Guzman-Lebron (by John McGovern, Esq.) for conditional release under 18 U.S.C. § 3142, this Court makes the following findings:

a. the defendant is charged with violating the conditions of his supervised release;

b. the defendant has the burden of establishing, by clear and convincing evidence, that a condition or combination of conditions will reasonably assure the safety of the community, pursuant to Federal Rule of Criminal Procedure 32.1(6);

c. the defendant has not met his burden of establishing by clear and convincing evidence that he is not a danger to the community; and

d. having considered the factors set forth in 18 U.S.C. § 3142(g), no condition or combination of conditions will reasonably assure the safety of any other person or the community.

IT IS, therefore, on this 12 day of Sept, 2012,

ORDERED, that the defendant is hereby ordered detained pending a revocation hearing in this matter; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i), that the defendant be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being

held in custody pending appeal; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i), that the defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, the defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings.



HONORABLE JOSE L. LINARES
United States District Judge